

**NATURAL RESOURCE COMMISSION[571]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 455A.5(6), 481A.5, 481A.6, and 481A.39, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 52, “Wildlife Refuges,” Iowa Administrative Code.

Chapter 52 contains the regulations for establishing wildlife refuges for the purpose of preserving biological balance and for promoting sound wildlife management. Hunting is not permitted in refuges so as to create a de facto safe zone for the wildlife. The proposed amendment removes two areas that are no longer needed as waterfowl refuges because there are enough refuges in the general area without them. The high number of refuges in the area prevented any one of them from being as effective as planned. The areas being delisted are Three Mile Lake in Union County and Lake Sugema in Van Buren County. Importantly, the two areas being removed will remain public lands open for recreation, including hunting.

In addition, the proposed amendment adds a new waterfowl refuge known as Union Hills in Cerro Gordo County. This new refuge is needed to encourage the growth of waterfowl in this area of the state of Iowa. This area is already state land currently under Department management. It is being redesignated from a wildlife management area to a waterfowl refuge.

Any interested person may make written suggestions or comments on the proposed amendment on or before May 23, 2013. Written comments may be directed to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; by e-mail at [wildlife@dnr.iowa.gov](mailto:wildlife@dnr.iowa.gov); or by fax at (515)281-6794. Persons who wish to convey their comments orally may contact the Department’s Wildlife Bureau by telephone at (515)281-5034 or by visiting the fourth floor of the Wallace State Office Building during regular business hours.

There will be a public hearing on May 23, 2013, at 1 p.m. in the Conference Room, Fourth Floor, Wallace State Office Building, Des Moines, Iowa. At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendment.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and request specific accommodations.

The amendment will have a positive effect on jobs by increasing opportunities for waterfowl hunting and viewing in Union, Cerro Gordo, and Van Buren Counties. Since waterfowl hunters frequently travel the entire state to enjoy different locations and zone-specific dates, the waterfowl hunting opportunities created in these specific counties will be enjoyed by hunters statewide. Waterfowl hunting benefits local economies and associated jobs, through equipment retailers, guide services, transportation services, and restaurants.

This amendment is intended to implement Iowa Code sections 455A.5(6), 481A.5, 481A.6, and 481A.39.

The following amendment is proposed.

Amend subrule 52.1(3) as follows:

**52.1(3) Waterfowl refuges.** The following areas under the jurisdiction of the department of natural resources are established as waterfowl refuges where posted. It shall be unlawful to hunt ducks and geese on the following areas, where posted, at any time during the year. It shall be unlawful to trespass

in any manner on the following areas, where posted, during the dates posted, both dates inclusive, except that department personnel, law enforcement officials, and other persons specifically authorized by the department of natural resources may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter the area when specifically authorized by the department of natural resources.

Area	County
Lake Icaria . . . . .	Adams
Pool Slough Wildlife Area . . . . .	Allamakee
Rathbun Area . . . . .	Appanoose, Lucas, Wayne
Sedan Bottoms . . . . .	Appanoose
Sweet Marsh . . . . .	Bremer
Big Marsh . . . . .	Butler
<u>Union Hills</u> . . . . .	<u>Cerro Gordo</u>
Ventura Marsh . . . . .	Cerro Gordo
Round Lake . . . . .	Clay
Jemmerson Slough Complex . . . . .	Dickinson
Forney Lake . . . . .	Fremont
Riverton Area . . . . .	Fremont
Dunbar Slough . . . . .	Greene
Bays Branch . . . . .	Guthrie
Crystal Hills . . . . .	Hancock
Eagle Flats . . . . .	Hancock
Eagle Lake . . . . .	Hancock
Green Island Area . . . . .	Jackson
Muskrat Slough . . . . .	Jones
Red Rock Area . . . . .	Marion, Polk, Warren
Badger Lake . . . . .	Monona
Chichaqua Area . . . . .	Polk
McCausland . . . . .	Scott
Princeton Area . . . . .	Scott
Otter Creek Marsh . . . . .	Tama
<u>Three Mile Lake</u> . . . . .	<u>Union</u>
<u>Lake Sugema</u> . . . . .	<u>Van Buren</u>
Rice Lake Area . . . . .	Winnebago
Snyder Bend Lake . . . . .	Woodbury
Elk Creek Marsh . . . . .	Worth